

06-21-02

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**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Large Entity)**

Docket No.
3153.00234/PC10790A

In Re Application Of: Xiao Tong, et al.

Serial No.
09/938,391

Filing Date
8-24-01

Examiner

Group Art Unit

Invention: **METHODS AND COMPOSITIONS FOR DIAGNOSING AND TREATING DISORDERS INVOLVING
ANGIOGENESIS**



ASSISTANT COMMISSIONER FOR PATENTS

Attention: Office of Petitions

Box DAC

Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

RECEIVED

JUN 24 2002

OFFICE OF PETITIONS

1. ☒ A proposed reply to the above-identified notice or action:

☒ is enclosed. ☐ was filed on _____

The proposed reply is in the form of:

**FILING OF MISSING PARTS OF APPLICATION PURSUANT
TO NOTICE OF FORM PTO-1553**

2. ☐ The issue fee:

☐ is enclosed. ☐ was paid on _____

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3. ☒ The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

4. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

5. ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Large Entity)**

Docket No.
3153.00234/PC10790A

In Re Application of **E Xian Tong, et al.**

Serial No.
09/938,358

Filing Date
8-24-01

Examiner

Group Art Unit

Invention: **METHODS AND COMPOSITIONS FOR DIAGNOSING AND TREATING DISORDERS INVOLVING
ANGIOGENESIS**

Calculation and Payment of Fees

Enclosed are the following fees:

- | | |
|--|-----------------------------|
| 6. <input checked="" type="checkbox"/> Petition fee under 37 CFR 1.17(m) in the amount of: | <u>\$1,280.00</u> |
| 7. <input checked="" type="checkbox"/> Fee for amendment in the amount of: | <u>\$130.00</u> |
| 8. <input checked="" type="checkbox"/> Fee for extension of time to respond to Office Action in the amount of: | <u>\$1,960.00</u> |
| 9. <input type="checkbox"/> Issue fee in the amount of: | <u> </u> |
| 10. <input type="checkbox"/> Continuing application filing fee in the amount of: | <u> </u> |
| 11. <input type="checkbox"/> Terminal disclaimer fee in the amount of: | <u> </u> |
| 12. <input type="checkbox"/> _____ | <u> </u> |
| Total fees enclosed: | <u>\$3,370.00</u> |

The fee of **\$3,370** is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
 - ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **11-1449**
- A duplicate copy of this sheet is enclosed.

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Unintentionally Under 37 CFR 1.137(b) (Large Entity)

Docket No.
3153.00234/PC10790A

In Re Application Of: Xiao Tong, et al.

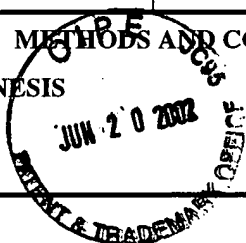
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Group Art Unit

Invention: METHODS AND COMPOSITIONS FOR DIAGNOSING AND TREATING DISORDERS INVOLVING
ANGIOGENESIS



Statement

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

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JUN 24 2002

OFFICE OF PETITIONS

Signature

KENNETH I. KOHN
KOHN & ASSOCIATES
30500 NORTHWESTERN HWY.
SUITE 410
FARMINGTON HILLS, MICHIGAN 48334
UNITED STATES OF AMERICA

Dated: JUNE 20, 2002

CC:

I certify that this document and fee is being deposited
on JUNE 20, 2002 with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Assistant Commissioner for Patents, Washington, D.C.
20231.

Signature of Person Mailing Correspondence

MARIE M. DeWITT

Typed or Printed Name of Person Mailing Correspondence